

**LEGISLATIVE SERVICES AGENCY
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FISCAL IMPACT STATEMENT

LS 6871

BILL NUMBER: SB 382

NOTE PREPARED: Dec 26, 2003

BILL AMENDED:

SUBJECT: Voting Rights of a Person Convicted of a Crime.

FIRST AUTHOR: Sen. Hershman

FIRST SPONSOR:

BILL STATUS: As Introduced

FUNDS AFFECTED: X GENERAL
DEDICATED
FEDERAL

IMPACT: State & Local

Summary of Legislation: The bill provides that a person who is convicted of a crime after June 30, 2004, is not eligible to vote or to register to vote until the person is no longer incarcerated, on parole, or under court supervision. The bill requires the circuit court clerk of the county in which an individual is convicted of a crime to notify the National Voter Registration Act of 1993 (NVRA) official of the conviction and placement of the individual and to coordinate with the Indiana Election Division to maintain the Statewide Voter Registration System (SVRS). The bill repeals a requirement that the county sheriff notify the NVRA official of a conviction.

Effective Date: July 1, 2004.

Explanation of State Expenditures: *Summary:* Under the bill, the Indiana Election Division would be required to purge disfranchised voters from the SVRS that have been convicted of a crime after June 30, 2004. This provision would likely increase the administrative time required of staff members of the Election Division to purge convicted voters from the database. The Division's resources should be sufficient to carry out the provision.

Background Information: As of November 2003, the Election Commission had 13 staff positions. Three positions: a systems analyst, an unclassified executive position, and a Governor's fellow were vacant. The other 10 positions included two attorneys, two field auditors, two unclassified executive positions, two program coordinators, and two administrative personnel. The Election Commission reverted \$221,315 back to the state General Fund at the end of FY 2003.

The Election Division was appropriated \$798,806 in FY 2003. Total expenditures during FY 2003 are

estimated at \$761,251. The Election Division was appropriated \$794,571 in FY 2004 and \$725,571 in FY 2005.

Explanation of State Revenues:

Explanation of Local Expenditures: County clerks and voter registration officials could require additional administrative time to compile a monthly list of convictions. The bill would require the county clerk to forward monthly notifications electronically to the Indiana Election Division and National Voter Registration officials.

Conviction Data: The following table illustrates the number of convicted persons entering into either a Department of Correction facility or into another form of sentence. The most recent data obtained varies by sentence.

Sentence	Number Entering
DOC Imprisonment (FY 2003)	15,010
Parole (FY 2003)	5,395
Probation (FY 2003)	5,218
Felony Supervision in lieu of prosecution (CY 2002)	209
Felony Other (Including Home Detention) (CY 2002)	914
Felony Shock Probation (CY 2002)	196

Explanation of Local Revenues:

State Agencies Affected: Office of the Secretary of State, Indiana Election Division.

Local Agencies Affected: County clerks and voting registration officials.

Information Sources: Department of Correction: *2002 and 2003 Offender Population Statistical Reports*, including summary report from June 2003; *2002 Indiana Judicial Service Probation Report*. State Budget Agency: *FY2003 General and Rainy Day Fund Summaries*, BUDSTARS.

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